

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Steve Lavin, on February 13, 2013 at 3:00 PM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Steve Lavin, Chair (R)
Rep. Lee Randall, Vice Chair (R)
Rep. Liz Bangerter (R)
Rep. Forrestina (Frosty) Calf Boss Ribs (D)
Rep. Clayton Fiscus (R)
Rep. Krayton Kerns (R)
Rep. Reilly Neill (D)
Rep. Jerry O'Neil (R)
Rep. Bridget Smith (D)
Rep. Nancy Wilson (D)

Members Excused: Rep. Carolyn Squires, Vice Chair (D)
Rep. Christy Clark (R)

Members Absent: None

Staff Present: Casey Barrs, Legislative Branch
Tia Hunter, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 383, 2/7/2013; HB 398, 2/7/2013; HB 414, 2/8/2013
Executive Action: HB 367, HB 334, HB 364

00:07:20 Chairman Lavin
[EXHIBIT\(trh32a01\)](#)

EXECUTIVE ACTION ON HB 367

00:07:42 **Motion/Vote:** Rep. Randall moved that **HB 367 DO PASS**. Motion carried unanimously by voice vote. Rep. Clark and Rep. Squires voted by proxy.

EXECUTIVE ACTION ON HB 334

00:08:41 **Motion:** Rep. Randall moved that **HB 334 DO PASS**.

Discussion:

00:09:12 Rep. Wilson
00:10:38 Rep. Smith
00:11:37 Dave Ohler, Attorney, Department of Transportation (MDT)
00:12:07 Rep. Smith
00:12:17 Mr. Ohler, MDT
00:14:05 Rep. Smith
00:14:19 Mr. Ohler, MDT
00:14:53 Rep. Kerns
00:15:39 Rep. Randall
00:16:29 Rep. Bangerter
00:16:49 Chairman Lavin

00:17:09 **Vote:** Motion carried 10-2 by voice vote with Rep. Randall and Rep. Wilson voting no. Rep. Clark and Rep. Squires voted by proxy.

EXECUTIVE ACTION ON HB 364

00:17:50 **Motion:** Rep. Randall moved that **HB 364 DO PASS**.

Discussion:

00:18:08 Rep. O'Neil
00:18:38 Rep. Smith
00:18:45 Chairman Lavin
00:19:01 Rep. Randall

00:19:33 **Motion:** Rep. Randall moved that **HB 364 BE TABLED**.

00:19:50 Rep. Randall **withdrew the previous motion**. Without objection.

00:19:52 Rep. Wilson
00:20:32 Rep. Squires entered.

00:20:57 **Motion/Vote:** Rep. Wilson moved that **HB 364 BE AMENDED**. Motion carried unanimously by roll call vote. Rep. Clark voted by proxy.

[EXHIBIT\(trh32a02\)](#)

00:22:14 **Motion:** Rep. Randall moved that **HB 364 DO PASS AS AMENDED**.

Discussion:

00:22:33 Rep. Randall

00:22:54 **Motion:** Rep. Randall moved that **HB 364 BE TABLED**. Motion carried unanimously by voice vote. Rep. Clark voted by proxy.

00:23:41 Recessed

00:24:52 Rep. Neill left.

00:34:34 Reconvened

HEARING ON HB 414**Opening Statement by Sponsor:**

00:34:48 Rep. Brian Hoven (R), HD 24, opened the hearing on HB 414, Permit registration of motor vehicle to those having a place of abode in Montana.

Proponents' Testimony:

00:37:29 Bob DePratu, Former Senator

00:40:15 Steve Zabawa, Rimrock Auto Group

00:40:36 Rep. Clark entered.

00:41:56 Jim Stanger, President, Helena Motors, and Helena Auto Center

00:42:49 Bruce Spencer, Montana Automobile Dealers Association (MTADA), and representing Bob Biskupiak, Independent Insurance Agents Association of Montana, Inc. (IIAM)

00:44:20 Stuart Doggett, Manufactured Housing, and Recreational Vehicle Dealers' Association (MMH & RV)

00:45:03 Justin Walsh, Montana Automobile Dealers, and Lithia Dodge Dealership

Opponents' Testimony:

00:45:54 Ronda Wiggers, Montana County Treasures' Association

Informational Testimony:

00:51:26 Brenda Nordlund, Administrator, Motor Vehicle Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:52:01 Rep. O'Neil

00:52:34 Ms. Wiggers, Montana County Treasures' Association

00:53:15 Rep. O'Neil

00:53:22 Mr. Spencer, MTADA

00:54:17 Rep. Smith

00:54:35 Ms. Wiggers, Montana County Treasures' Association

00:55:12 Rep. Squires

00:55:49 Ms. Wiggers, Montana County Treasures' Association

00:56:28 Rep. Squires

00:57:10 Ms. Wiggers, Montana County Treasures' Association

00:57:40 Rep. Squires

00:57:52 Ms. Wiggers, Montana County Treasures' Association

00:58:09 Rep. Squires

00:58:18 Ms. Wiggers, Montana County Treasures' Association

00:58:22 Rep. Squires
00:58:35 Ms. Wiggers, Montana County Treasures' Association

Closing by Sponsor:

00:58:50 Rep. Hoven

HEARING ON HB 383

Opening Statement by Sponsor:

01:00:42 Rep. Clayton Fiscus (R), HD 46, opened the hearing on HB 383, Revise laws regarding highway by-pass requirements.

[EXHIBIT\(trh32a03\)](#)

[EXHIBIT\(trh32a04\)](#)

Proponents' Testimony:

01:09:03 Cheryl Cathey, Self

[EXHIBIT\(trh32a05\)](#)

[EXHIBIT\(trh32a06\)](#)

01:14:55 Carey Chapman, Broker and Owner, Re/MAX Billings

01:19:23 Laurie Fiscus, Self

01:22:17 Crystal Pardy, Self

Opponents' Testimony:

01:23:43 Lynn Zanto, Administrator, Rail, Transit, and Planning Division, Department of Transportation, MDT

01:27:26 Cary Hegreberg, Executive Director, Montana Contractors' Association (MCA)

01:28:22 Rep. Bangerter left.

01:29:47 Maureen Connor, Montana Association of Counties (MACo)

01:31:13 Barry "Spook" Stang, Executive Vice President, Motor Carriers of Montana (MCM)

Informational Testimony: None

Questions from Committee Members and Responses:

01:33:22 Rep. Randall

01:34:07 Mr. Stang, MCM

01:34:54 Ms. Zanto, MDT

01:39:27 Rep. Randall

01:39:43 Ms. Zanto, MDT

01:40:36 Rep. Randall

01:41:20 Ms. Zanto, MDT

01:42:12 Rep. O'Neil

01:42:38 Ms. Zanto, MDT

01:44:01 Rep. Squires

01:46:28 Ms. Zanto, MDT

01:47:15 Rep. Squires

01:48:31 Chairman Lavin

01:48:47 Rep. Wilson

01:49:50 Ms. Zanto, MDT

01:50:14 Rep. Wilson

01:50:45 Ms. Chapman
01:51:53 Rep. Wilson
01:52:19 Ms. Zanto, MDT
01:52:40 Rep. Wilson
01:52:46 Ms. Zanto, MDT
01:53:23 Rep. Smith
01:53:42 Ms. Zanto, MDT
01:54:25 Rep. Smith
01:54:43 Ms. Zanto, MDT
01:55:13 Rep. Smith
01:55:38 Ms. Zanto, MDT
01:55:59 Rep. Squires
01:56:42 Ms. Zanto, MDT
01:57:04 Rep. Squires

Closing by Sponsor:

01:57:26 Rep. Fiscus

HEARING ON HB 398**Opening Statement by Sponsor:**

02:04:18 Rep. Doug Kary (R), HD 48, opened the hearing on HB 398, Revising laws related to operation of OHVs by those under 16 years of age.

[EXHIBIT\(trh32a07\)](#)

Proponents' Testimony:

02:06:30 Bruce Reieron, Montana Trail Vehicle Riders Association (MTVRA), and National Off-Highway Vehicle Conservation Council (NOHVCC)
02:13:08 Rep. Randall left.
02:14:42 Bob Walker, Volunteer, Our Montana
02:17:45 Mike Sedlock, Volunteer, Capital Trail Vehicle Association (CTVA)
02:19:59 Mike Jeffords, Member, Ravalli County Off Road User Association (RCORUA), and Vice President, MTVRA
02:22:13 Ronna Alexander, MTVRA

Opponents' Testimony: None

Informational Testimony:

02:22:48 Tom Reilly, Assistant Administrator, Parks Division, Department of Fish, Wildlife, and Parks (FWP)

Questions from Committee Members and Responses:

02:25:07 Rep. Smith
02:25:33 Rep. Kary
02:25:51 Rep. Smith
02:26:15 Rep. Kary
02:26:34 Rep. Squires
02:27:19 Mr. Reilly, FWP
02:27:42 Rep. Squires
02:27:47 Mr. Reilly, FWP

02:28:15 Rep. Squires
02:28:45 Mr. Reilly, FWP
02:29:02 Rep. Squires
02:29:04 Mr. Reilly, FWP
02:29:18 Rep. Squires
02:29:33 Mr. Reilly, FWP

Closing by Sponsor:

02:29:48 Rep. Kary

02:30:32 Chairman Lavin

[EXHIBIT\(trh32a08\)](#)

ADJOURNMENT

Adjournment: 02:31:18

Tia Hunter, Secretary

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Additional Documents:

EXHIBIT([trh32aad.pdf](#))